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In re Application of

HÜTTER, Ingo

U.S. Application No.: 10/542,585

PCT No.: PCT/EP03/14931

Int. Filing Date: 29 December 2003

Priority Date: 23 January 2003

Attorney's Docket No.: PD030010

For: UPDATING PARAMETERS IN A
BRIDGED MULTISTANDARD HOME
NETWORK

DECISION

This is a decision on the third renewed request to add an inventor in the above-captioned application filed 21 February 2008.

BACKGROUND

On 31 January 2008, a decision dismissing applicants' petition under 37 CFR 1.497(d) was mailed. Applicants failed to satisfy item (3) of 37 CFR 1.497(d). Applicants were given two months to respond.

On 21 February 2008, applicants filed the renewed petition which was accompanied by, *inter alia*, another "Consent of Assignee."

DISCUSSION

37 CFR 1.497(d) states, in part:

(d) If the oath or declaration filed pursuant to 35 U.S.C. 371(c)(4) and this section names an inventive entity different from the inventive entity set forth in the international application, or a change to the inventive entity has been effected under PCT Rule 92 *bis* subsequent to the execution of any declaration which was filed under PCT Rule 4.17(iv), the oath or declaration must be accompanied by:

- (1) A statement from each person being added as an inventor and from each person being deleted as an inventor that any error in inventorship in the international application occurred without deceptive intention on his or her part;

- (2) The processing fee set forth in § 1.17(i); and
- (3) If an assignment has been executed by any of the original named inventors, the written consent of the assignee (see § 3.73(b) of this chapter).

In the prior decision, item (3) was not satisfied as the attorney granting the consent for the assignee did not assert that she has the authority to sign for the corporation. In the renewed petition, applicants have cured this defect as the attorney has now asserted that she has the authority to sign for the assignee. Item (3) of 37 CFR 1.497(d) is now satisfied.

All items of 37 CFR 1.497(d) are now complete.

CONCLUSION

Applicants' request under 37 CFR 1.497(d) to add an inventor is **GRANTED**.

The declaration filed 06 January 2006 is now in compliance with 37 CFR 1.497(a) and (b).

Applicants have completed the requirements for acceptance under 35 U.S.C. 371(c). The application has an international filing date of 29 December 2003, under 35 U.S.C. 363 and a 35 U.S.C. 371(c)(1), (c)(2) and (c)(4) date of 06 January 2006.

This application is being forwarded to the DO/EO/US for further processing.



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